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FLOOR DEBATE

April 23, 2001 LB 424, 536

incorrectly states that the disbursement of any residual funds shall occur on June 30, 2010. The amendment to the committee amendment states that disbursements shall occur December 31, 1000...1011 (sic), six months after the termination of the new production credit. I misstated that. The bill incorrectly states that disbursement of any residual funds shall occur on June 30, 1010, not 2010, for the record. The change will appear in the amendment as follows: strike June 30, 1010, and it should say "on December 31, 2011 the State Treasurer shall transfer any remaining funds to the commodity boards". And this was at the request of some of the commodity people that when the fund is over, not being used any longer, why it would go back to the commodity boards. On page 9, line 10, change the termination of the half cent grain and sorghum ethanol checkoff from January 1, 2008 to October 1, 2008. The fiscal note assumes revenues from the checkoff for a full seven years. As written, the committee amendments only impose the excise tax for a period of six and a half...six and a fourth years. The amendment corrects the termination date. On page 13, line 15, we replace the existing Section 8 with the revised Section 8. Section 8 is the addition of the gluten tax. Current Section 8 of the committee amendments inserts the gluten tax provisions as written in the introduced version of LB 424. As written, the bill imposes a gluten tax of 50 cents per dry ton through December 31st of 2007, upon the gross tonnage of all sales in this state of the sellers grain or gluten feed generated by an ethanol facility that has received credits under the Ethanol Development Act. The tax is imposed upon the seller. The tax is collected by the Department of Revenue and remitted to the EPIC Fund. Collection of the tax is to be governed by the Nebraska Revenue Act of 1967. The amendment to the committee amendments revised the application and collection of the tax. The amendment provides that the excise tax is imposed upon all commercial feed generated by an ethanol facility that has received credits under the Ethanol Development Act. The tax is imposed at the time of the sale delivery. The amendment adopts the definition of Commercial Feed Act. This avoids confusion as to what feed by-products are taxable and which are not, as the tax will apply to the same products for which there is currently a 10 cent per ton excise tax. The department adopts, by rule and regulation, the official definition of feeds and feed ingredients of the